(50)

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No.3566 of 2005

Petitioners

1. Gendlal Patle, Son of Bulkhuram Patle, aged 38 years, working as Upper division teacher at Middle School Kirna, Baitulpur, Patharia, District Bilaspur resident of village Bhatgaun Tahsil Mungeli district Bilaspur.
2. Sajjan Prakash, son of Isha Prakash, aged 36 years, working as Upper division teacher at Govt. Middle School Padampur Dashrangpur, Mungeli District Bilaspur resident of village Chhatauna, Jarhagaun Tahsil Mungeli district Bilaspur.
3. Kamlu Sai, son of Shiv Kumar Sai, aged 35 years, working as Upper division teacher at Govt. Middle School Pendrakala, Pandaria, District Kawardha, resident of village Muskuti, Bandarchua, Tahsil Bagicha, District Jaspur.
4. Mahesh Ram Marawi, son of Dev Prasad Marawi aged 33 years working as upper division teacher at Govt. Middle School Kalmiyar, Kota District Bilaspur resident of village Lutra, Post Khamharia, Tahsil Masturi District Bilaspur.
5. Santosh Kumar Shyam, son of Jethuram Shyam, aged 33 years, working as upper division teacher at Middle school Bedimuda Ratanpur, Kota district Bilaspur resident of village Silli, Tahsil Pali, District Korba.
6. Ramcharan Ratre, son of Gopilal Ratre aged 32 years, working as Upper division teacher at Middle school Rastala, Bilha, District Bilaspur resident of village Birkona Tahsil and district Bilaspur.
7. Dileshwar Singh Dhruw son of Panchram Dhruw, aged 39 years working as Upper division teacher at Middle School, Samorsal, Takhatpur, district Bilaspur resident of village Sartha, Tahsil Lormi, district Bilaspur.
8. Shantilal Kerketta, son of Kushal Kerketta, aged 33 years working as Principal at Govt. Higher Secondary School Lakhram, District Bilaspur resident of Bandarchuwa, Tahsil Kunkuri, district Jashpur.
9. Rajendra Kumar Jagat, son of Vishal Singh working as Upper division teacher at Govt. High School Chapora, Ratanpur,

(51)

District Bilaspur resident of village Haranmudi Post Beltara Tashil Kaztghora, District Bilaspur.

10. Suresh Kumar Dhurve son of Jagdish Dhurve working as Upper division Teacher at Govt. Higher Secondary School Kosamada (Champa), district Janjgir resident of village Mohtara, Kargiroad,District Bilaspur.
11. Ku. Kusumlata Khalko, daughter of Sibiriyas Khalko, working as Upper division teacher, Govt. Higher secondary School Kosmda Champa, district Janjgir resident of Karilghowa Post Mansukh district Ambikapur.
12. Gendram Chaturvedi, Son of P.R. Chaturvedi, working as Upper division teacher at Govt. Middle School, Mohabhatta (Sargaun) Patharia, District Bilaspur, resident of Sonpuri, Tahsil Mungeli, District Bilaspur.
13. Smt. Kamla Khalko wife of Lijus Khalko working as Upper division teacher at Govt. Higher Secondary School Sargaon Patharia, district Bilaspur resident of Nayapara, Bilaspur.
14. Ram Kumar Kant son of Makkal working as Upper division teacher at Govt. High School Baitalpur District Bilaspur resident of village Aduntal Post Dagori, Bilha District Bilaspur.
15. Smt. Jyoti Grace Tigga daughter of Emil Lakda, working as Upper division teacher at Govt. Middle Schol Nagpura District Bilaspur resident of dipu Para, Bilaspur.
16. Ku. Lily Sushila Toppo daughter of Thomas Toppo working as Upper division teacher at Govt. High School Kharkena, District Bilaspur resident of near Normal School Dabripara, Bilaspur.
17. Tekram Kashyap, son of Ram Prasad Kashyap aged 36 years, working as upper division teacher at Govt. Higher School Hasod, Birra district Janjgir resident of village Nagpura (Jawalpur) Baloda District Janjgir.
18. Anand Ram Ratre, son of Johan Ram Ratre, aged 40 years, working as upper division teacher at Govt. High School Sohagpur district Janjgir resident of Village Nawapara, Post Kopari District Janjgir.
19. Ku. Jeevan Lata Lakda, daughter of Kamil Lakda, aged 32 years, working as upper division teacher at Govt. B.D.M.

(52)

Higher secondary School Saragaun Champa, District Janjgir resident of Saragaun, district Janjgir.

20. Milapram Daharia, son of Motiram Daharia, aged 34 years working as Upper division teacher at Govt. Middle School Bhairotal Katghora District Korba, resident of Bhairotal Katghora, District Korba.
21. Shyam Ratan Khande, son of Bhakoliram Khonde, aged 34 years working as upper division teacher at Govt. Higher secondary school Baloda, District Janjgir, resident of Baloda, Janjgir.
22. Suresh Kumar Lahre, son of Baccku Lal Lahre, aged 34 years working as upper division teacher at Middle school Mahuda, Baloda district Janjgir.
23. Reshamlal Banjare son of Darashram Banjare, aged 35 years working as upper division teacher at Govt. Higher secondary school Khisora (Baloda) District Janjgir.

Versus

Respondents

1. The State of Chhattisgarh, Through the Secretary, Department of School Eudcation D. K. Bhawan, Raipur, Chhattisgarh
2. The Director, Public Instructions School Education, Government of Chhattisgarh, Jail Road, Raipur, Chhattisgarh.
3. District Education Officer, Government of Chhattisgarh, Opposite Collectorate Office, Bilaspur Chhattisgarh.
4. District Education Officer, Government of Chhattisgarh, Korba Chhattisgarh.
5. District Education Officer, Government of Chhattisgarh, Janjgir Champa Chhattisgarh.
6. Assistant Commissioner, Adivasi vikas Korba District Korba

(APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE TRIBUNALS ACT, 1985)

Single Bench: Hon'ble Justice Satish K. Agnihotri

Present : Shri V.K. Tekam, counsel for the petitioners.
Smt. Anju Ahuja, Dy. Govt. Advocate for the State/ respondents.

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(53)

ORDER
(Passed on 26th June, 2007)

1. The question of law involved herein is as to whether the petitioners are entitled to regular pay scale w.e.f. the date of initial appointment or from the date of completion of probation period.

2. Learned counsel appearing for the petitioners as well as for the State/respondents jointly submit that the facts and question of law involved in the present writ petition are the same to that of in W.P. No.1463/2006 **(Aeman Jain Vs. The State Government of Chhattisgarh & another)**, which was allowed vide order dated 10.11.2006.

3. However, the State government is at liberty to verify the appointment of the petitioners in order to find out whether the fact of the present case are identical to that of W.P.(S) No. 1463/2006 (supra)

4. In view of the above-stated submissions made by learned counsel for the parties, the writ petition is allowed in the same terms. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

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